

## **REMARKS/ARGUMENTS**

The rejections presented in the Office Action dated January 26, 2009 (hereinafter Office Action) have been considered. Claims 1-16 and 18-66 remain pending in the application. Independent claims 1, 21, 37, and 50 have been amended to incorporate allowable subject matter of dependent claims 63-66, respectively, now canceled. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Claims 1, 2, 4-6, 8, 13-16, 18-22, 24-26, 28-38, 40-42, 44, 47-51, 53-55, 57, and 60-62 are rejected based on 35 U.S.C. §102(e) as being anticipated by U.S. Publication No. 2004/0172066 by Wagner et al. (hereinafter “Wagner”). Claims 3, 7, 23, 27, 39, 43, 52, 56 and 63-66 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Applicant acknowledges the allowable subject matter identified in the Office Action, including claims 63-66. Without acquiescing to the Examiner’s bases for rejecting the claims, such rejections are now moot in view of Applicant’s amendments to base claims 1, 21, 37, and 50. The allowable subject matter of claims 63, 64, 65, and 66 has been incorporated into base claims 1, 21, 37, and 50, respectively. Claims 63-66 have been canceled without prejudice or disclaimer. Applicant respectfully requests withdrawal of the rejection of claims 1, 2, 4-6, 8, 13-16, 18-22, 24-26, 28-38, 40-42, 44, 47-51, 53-55, 57, and 60-62 in view of the amendments made to these claims herein.

Concerning claims 9-12, 45, 46, 58, and 59, these claims were withdrawn as being directed to patentably distinct species in the Official Communication mailed September 7, 2006. On page 2 of this Communication, independent claims 1, 37, and 50 were indicated as being generic, and remain so at this stage. Pursuant to 37 CFR § 1.141, Applicant is entitled to consideration of claims to additional species (i.e., Species I to which claims 9-12, 45, 46, 58, and 59 are directed) which depend or otherwise require the limitations of an allowable generic claim (i.e., claims 1, 37, and 50). Applicant respectfully requests rejoinder of claims 9-12, 45, 46, 58, and 59 in view of the allowability of their respective independent claims 1, 37, and 50, as amended.

Applicant respectfully submits that the application is in condition for allowance, timely notification of which is kindly solicited.

Authorization is given to charge Deposit Account No. 50-3581 (GUID.611PA) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the Examiner is invited to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

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